GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department – Allegation of corruption against Sri Kaila Venkateswara Rao, former Deputy Tahsildar, O/o Tahsildar, Pamidimukkala Mandal, Krishna District – Trapped on 27.10.2011 – Charge sheet fled before the Hon'ble Spl. Judge for SPE & ACB Cases, Vijayawada – Accused Officer expired on 19-04-2020 – Further action abated – Orders – Issued.

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REVENUE (VIGILANCE.III.2) DEPARTMENT

G.O.MS.No. 106 Dated: 17-05-2021.

Read the following:-

1. Radio Message from the DSP, ACB, Vijayawada Range, Vijayawada, Dt:28.10.2011.
2. Rc.No.A2/2801/2011, dated:01.11.2011 of the District Collector, Krishna District, Machilipatnam.
3. Lr.Rc.No.221/RCT-VKI/2011-S.9, Dt:15.07.2013 of the Director General, Anti Corruption Bureau, Andhra Pradesh.
4. Procs.in Rc.No.A2/3801/2012, Dt:01.06.2014 of the Collector & District Magistrate, Krishna District, Machilipatnam.
5. Orders dated 02.11.2020 of the Spl. Judge for SPE & ACB casescum- Additional Metropolitan Sessions Judge, Vijayawada in C.C.No.24 of 2014.
6. From the Collector & District Magistrate, Krishna District, Machilipatnam, Lr.Rc.A2/3801/2011, Dt:21.09.2020.
7. From the D.G., ACB, Lr.Rc.No.221/RCT-VKI/2011-S.9, Dated:19.03.2021.

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ORDER:

Whereas, in the reference 1st read above, it was brought to the notice of the Government that a trap case was registered against Sri Kaila Venkateswara Rao, Dy.Tahsildar, O/o the Tahsildar, Pamidimukkala (M), Krishna District, who was trapped by ACB authorities on 27-10-2011, when he demanded and accepted bribe for an amount of Rs.2,000/- from the complainant for doing ofcial favour i.e. to prepare the bills in favour of the complainant Sri Nalluri Koteswara Rao and another person Sri M.Venkata Swamy and presented the bills to the STO, Vuyyuru for making payment of refund of stamp value by means of cheques. Consequently, vide the reference 2nd read above, the Collector, Krishna District has placed the AO under suspension. Further, based on the recommendations of the review committee, orders were issued for reinstatement of AO Sri Kaila Venkateswara Rao, Superintendent / Dy.Tahsildar into service without prejudice to the criminal and disciplinary proceedings pending against him and to post him to a far of non-focal post.

2. And whereas, in the reference 3rd read above, the Director General, Anti Corruption Bureau, A.P has furnished the fnal report of the bureau in this case stating from the oral and documentary evidences it is clearly established that the AO demanded and accepted the bribe amount of Rs.2,000/- from the complainant as illegal gratification other than legal remuneration to do official favour and was caught red handed when demanded and accepted the bribe by which act he is liable for prosecution u/s 7 and 13 (2) R/w 13 (1) (d) of P.C.Act, 1988. He has, therefore, requested the Government to issue sanction order for prosecution of AO Sri Kaila Venkateswara Rao U/s 19 (1) (d) of the Prevention of Corruption Act, 1988.

3. Government, after careful examination of the matter and after following the due procedure under the scheme of vigilance Commission, have accepted the final report of the bureau and the same has been sent to the District Collector, Krishna District, Machilipatnam who is the competent authority to accord sanction under 19 (1) (c) of P.C Act, 1988 to prosecute the AO in a court of law vide Govt., Memo. Dt:16-11-2013. Accordingly, the District Collector, Krishna has issued sanction order vide the reference 4th read above.

(P.T.O)

4. And whereas, in the reference 7th read above, the Director General, Anti Corruption Bureau, A.P has informed that after receipt of the sanction order from the Collector & District Magistrate, Krishna District, charge sheet was filed against the AO Sri Kaila Venkateswara Rao on 23-08-2014. The Hon'ble Court was pleased to take the charge sheet on file vide CC No. 24/2014. While the case against the AO was under trial, the AO was expired on 19-04-2020. On receipt the said information, the prosecution fled a memo on 19-04-2020 in the Trial Court along with death certificate in respect of the AO. In pursuance of the said memo, the Learned Spl. Judge for ACB cases, Vijayawada was pleased to abate action against the AO Sri Kaila Venkateswara Rao, vide order dt:02.11.2020 in C.C.No.24 of 2014. The D.G, ACB, has requested the Government to take further necessary action in the matter.

5. And whereas, in the reference 5th read above, the Spl. Judge for SPE & ACB cases-cum- Additional Metropolitan Sessions Judge, Vijayawada has passed the orders abating the case since the sole accused died, the case against Accused Officer is abated.

6. Government, after careful examination of the matter, have decided and hereby order to abate further action against Sri Kaila Venkateswara Rao, former Deputy Tahsildar, O/o the Tahsildar, Pamidimukkala Mandal, Krishna District, who expired on 19.04.2020, subject to recovery of loss caused by the deceased employee, if any, in terms of Rule 9 (7) of A.P.Revised Pension Rules, 1980.

7. The Collector & District Magistrate, Krishna, Machilipatnam shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To:
The Collector & District Magistrate, Krishna District, Machilipatnam.

Copy to:
Legal heir of Sri Kaila Venkateswara Rao, former Deputy Tahsildar, O/o the Tahsildar, Pamidimukkala Mandal, Krishna District through the Collector & District Magistrate, Krishna District, Machilipatnam.
The Chief Commissioner of Land Administration, A.P., Vijayawada.
The Director General, ACB, AP, Vijayawada.
The Secretary to Commissioner, A.P. Vigilance Commission, Velagapudi, Amaravathi.
Sf/Sc

//FORWARDED :: BY ORDER //

SECTION OFFICER